

**ASSEMBLY BILL**

**No. 2233**

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**Introduced by Assembly Member Donnelly**

February 21, 2014

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An act to amend Section 5100 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2233, as introduced, Donnelly. Primary elections: party eligibility. Existing law specifies conditions under which a party is qualified to participate in a primary election.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 5100 of the Elections Code is amended  
2     to read:  
3     5100. A party is qualified to participate in ~~any~~ a primary  
4     election under any of the following conditions:  
5     (a) ~~If at~~ At the last preceding gubernatorial election there was  
6     polled for any one of its candidates for any office voted on  
7     throughout the state, at least 2 percent of the entire vote of the  
8     state.  
9     (b) ~~If on~~ On or before the 135th day before ~~any~~ the primary  
10    election, it appears to the Secretary of State, as a result of  
11    examining and totaling the statement of voters and their political

1 affiliations transmitted to him or her by the county elections  
2 officials, that voters equal in number to at least 1 percent of the  
3 entire vote of the state at the last preceding gubernatorial election  
4 have declared their intention to affiliate with that party.

5 (c) ~~If on~~ *On* or before the 135th day before ~~any~~ *the* primary  
6 election, there is filed with the Secretary of State a petition signed  
7 by voters, equal in number to at least 10 percent of the entire vote  
8 of the state at the last preceding gubernatorial election, declaring  
9 that they represent a proposed party, the name of which shall be  
10 stated in the petition, which proposed party those voters desire to  
11 have participate in that primary election. This petition shall be  
12 circulated, signed, *and* verified, and the signatures of the voters  
13 on it shall be certified to and transmitted to the Secretary of State  
14 by the county elections officials substantially as provided for  
15 initiative petitions. Each page of the petition shall bear a caption  
16 in 18-point boldface type, which caption shall be the name of the  
17 proposed party followed by the words "Petition to participate in  
18 the primary election."